611 dispersed. Both groups have ritual leaders, whose offices are quite dis-
613 tinct. Barnes' suggestion(1) is that the two groups must be father's patrilineage and mother's matrilineage, with the qualification mentioned below.

613 The *oluse* consists of a large number of village groups, some of which
622 recognise mutual relationship,(2) but with no recognised head (other than the village headmen) except in the case of the royal families. Land is
[428] owned by the *oluse* and passed on within it from father to son, or from elder to younger brother. Succession to village or tribal office, from village headman to king, descends in the same way.(3) Ritual leadership
[346] within the *oluse* lies with the village headman, who is in charge of the spirit-hut *(etambo)* of the guardian spirit of the village (or of the nuclear *oluse* within the village), and who officiates at regular village worship, including agricultural festivals.

613 The *oluina*, on the other hand, is a dispersed and apparently larger
428 group, whose members live with their various paternal lines of descent. The size of the *oluina* is unknown; Childs merely refers to it as a "large
604 and widespread organization, with a recognized head". The office of head of the *oluina (ukulu wepata)* descends from mother's brother to sister's son. Negotiable and moveable property, including cattle and trade goods, is owned by the *oluina* and inherited by the sister's son. Formerly the mother's elder brother had great powers over his sister's sons, and was even able to pawn them or sell them into slavery, to meet his own debts.
[592] The patrilocal household is usually responsible for training children, especially during their early years, but they are frequently sent to the *oluina* (i.e. to the mother's brother) for at least a part of their educa-
[586] tion. At death or divorce of parents, children go to the *oluina*.

43 The head *(ukulu wepata)* of the *oluina* is usually both the legal and
782 spiritual head of the group, although today the two functions are often divided. He is in charge of the spirit hut *(etambo)* of the guardian spirit of the *oluina* (of whom there may be more than one, and of whom he becomes one after death). He leads the *oluina* in propitiatory rituals carried out in case of illness, death, or other misfortunes within the group, or in prayers made for desired economic advantages. (Apparently no regular rituals are carried out by the *oluina*.) The *ukulu wepata* may or may not be at the same time a village headman; if he is, he will be priest of two lines and have charge of two spirit huts; if he is not, there may be two (or more) priests in the village, each in charge of the spirit-hut of his *oluse* or *oluina*.

The onẽlẽ yohonji and the onẽlẽ yohumba

613 The *oluse* and the *oluina* are both divided into male and female
602 "sides": the *onẽlẽ yohonji* (the side of the bow) and the *onẽlẽ yohumba* (the side of the basket). It has been noted above that uterine brothers
582 and sisters belong to the same *oluse* and *oluina*, but to the male or female side in each, according to sex. The composition of these "sides" is

(1) Loc.cit.
(2) If some villages within the *oluse* cannot trace mutual relationship, the *oluse* should perhaps be called a petri-clan rather than a patrilineage.
(3) But see below, p.29.

for murder as two oxen and two slaves; for adultery, two oxen, a pig, and a slave.) Today a man who has committed adultery sometimes takes the woman and all children under three years of age, but this is for the husband to decide. An adulterer with one of the chief's wives was castrated but not killed, and the castration might be compounded for a high fine, while he, his sisters, and the sons of his sisters would become slaves of the chief.(1) Hambly states finally that "Criminal law did not distinguish between responsibility for intentional and unintentional offences."(2)

There is no information regarding the kinds of cases tried or the punishments given in the courts of village headmen or sub-chiefs today.

INHERITANCE

It has been noted above that moveable property is inherited in the maternal line, land in the paternal line.(3) The eldest brother of the deceased's mother has the first claim and is responsible for settling disputes. He may distribute the property to the mother of the deceased, the maternal grandfather, or to a brother of the deceased, but is not compelled to do this. Women never inherit cattle or land, although the sisters of a deceased woman usually receive most of her household utensils (the rest belong to her husband). A widow goes to the house of (? marries) the eldest brother of the deceased or her own maternal uncle, or she may return to her father's village. Apparently her children accompany her, although one would expect them to go to her brother.(4)

DIVORCE

Divorce appears to be infrequent; grounds for divorce are many, but difficulties are often overcome by a compromise between the two kin groups concerned. Causes for dissatisfaction on the part of a husband include his wife's incompetence, dishonesty, physical weakness, or infidelity (in the last case today a fine from the adulterer is usually accepted and the marriage continues). Barrenness is not a ground for divorce; usually the husband takes a second wife, but the first maintains her position as head wife. Sterility in the male is sometimes suspected, in which case the husband may try another girl, with his wife's consent, or the woman another man. A woman may divorce a man if he is impotent (not sterile), or if he ill-treats her, but not because he is unfaithful. If for any of these reasons the woman returns to her family, the latter are expected to return the marriage payment, although they may wait until another suitor appears who will pay the deserted husband. Whether the initiative in divorce is taken by the woman or the man, the marriage is not annulled until a renunciatory ceremony has been carried out by the husband, the wife, and the wife's father, in the presence of the village headman. The husband receives from his wife's father a roll of tobacco and a pig, and then places leaves(5) and palm oil on his wife's back; he then slaps his wife's back saying "It is finished".

(1) Hambly, op.cit., p.203. (2) Loc.cit.
(3) See above, p.18, and Childs, 1949, p.44.
(4) Hambly, (2) 1934, p.199.
(5) The leaf used is of the *apu* tree; the same leaf is tied to the pole of the *efanio* of a new village, as a sign of divorce from the old site. (Childs, 1949, p.38; this is the only context in which Childs mentions divorce.)

586 When a woman divorces her husband to marry another man, she takes to her home all children under three years of age; other children go to the home of her parents.(1) There is no information concerning the fate of children when the man divorces his wife.

[691] Divorce cases are apparently brought before the court of the village headman only where the return of the marriage payment to the husband is long delayed or in some way unsatisfactory.(2)

LAND TENURE

423 There is virtually no information on Umbundu land usage. Childs states that land is inherited in the paternal line, i.e. by brother or son. Hambly suggests that "The right to land depends on its use and allotment by a chief (?) at the time of founding a village," and that "Rights seem to have been well defined and there was always enough room for a stranger". The meaning of neither of these statements is very clear.(3)

DOMESTIC SLAVERY

567 [672] Slaves were formerly taken in war, and, until very recently, as a result of a person's inability to pay his debts. In such a case not the debtor, but the debtor's sister's children were taken as slaves by the creditor. If the debt was paid later, the children were set free.(4) Today children instead of being sold into slavery may be expected to work for the creditor to pay off the debts of the mother's brother.(5) Childs writes "Slaves or former slaves have a status within the household or village which to the ordinary observer does not differ from that of the children: they are treated much as the children and they may carry on in all matters social and economic as though they were members of the family". He adds however that when there is a call for labour, the lot falls more often to a slave or a pawn.(6) Hambly, however, notes that formerly the master had rights of punishment including the death sentence, although an ill-treated slave might appeal to the village headman. Slave women were frequently taken as concubines, but were not lent out as prostitutes. A slave woman who married a free man would revert to her master along with her children when her husband died. All children of slaves became slaves of the master, who could dispose of the girls in marriage. If he himself married a slave girl, she would, at his death, become the property of his eldest brother and her children would go with her, although in some instances the woman and children might go to the mother's brother's son.

[727] It seems likely (although it is nowhere stated) that there was a clear distinction between slaves captured in war and slaves taken as a result of a debt; possibly the information quoted above from Hambly refers mainly to war captives.

(1) Hambly, op.cit., pp.182-3.
(2) Ibid., p.193.
(3) Hambly, op.cit., p.201. Hambly states here that the system of land distribution is described in a later section of his book, but this section merely refers back to these remarks.
(4) Bastos (1909, p.33) adds that if a father redeemed his children, the maternal uncle lost his right to sell them into slavery.
(5) Hambly, op.cit., p.205.
(6) 1949, p.42.

3: Hambly E-5 (1929-1930) 1934 FP13 Mbundu FP13

of the girl by her husband, and if she were not a virgin he took a hot stick from the fire and burned a hole through her loin cloth. "The girl began to cry, but she had to take the burned cloth to her mother." In such an instance there does not seem to be an idea of guilt. The husband had accepted something that was damaged, and the payment of a pig by the girl's parents reunited the two young people. In former days, also at present, there are boy and girl companions who sleep together, supposedly without having sexual connections, although they may be seventeen years of age. The girl calls the boy *ombaisi*, and he calls her by the same name. The Ovimbundu understand something of the physiology of conception; the woman is, however, regarded as only a receiving vessel. "The man puts something into her which grows."

Husband and wife do not sleep in the same bed during the wife's menstrual period; the wife sleeps on a mat at the side of her husband's bed. A woman who is menstruating never cooks food, but women give mutual aid in this matter. A man with more than one wife sleeps either four nights or seven nights with each; the four-night cycle is more usual than the seven-night cycle among the Ovimbundu. Each wife has a separate hut and kitchen. There is no wife lending, but a visitor may be provided with a widow or even with an unmarried girl. Then the man would have to pay the woman.

Ngonga was able to give information with regard to homosexuality. "There are men who want men, and women who want women." Ngonga says he has heard people talk about it, and "they think this very bad." A woman has been known to make an artificial penis for use with another woman. The medicine-man will sometimes dress as a woman. Ngonga, who has seen a man dress as a woman, stated that the man arranged his cloth like that of a woman, put palm oil on his hair, and joined the women to pound corn on the rocks. "The other people laughed and spoke bad words to him. His brother, father, and uncle beat him," but without producing reformation.

DIVORCE

There are many grounds on which a man may secure a divorce, but it does not follow that divorce is frequent. On the contrary the evidence indicates that the majority of difficulties are overcome by a compromise between the relations of the husband and those of the wife. The main causes of dissatisfaction with a wife are want of ability in cultivating her garden, physical weakness, a habit of thieving from the gardens of other women, incompetence in cooking,

3: Hambly E-5 (1929-1930) 1934 FP13 Mbundu FP13

586 bad temper, too much talking, some physical defect arising from childbirth, and infidelity. But the husband usually accepts payment from the adulterer, and in that event divorce is not sought.

585 586 If a mother has no milk, there is a likelihood that her children will die in infancy; this is a cause for divorce. Barrenness gives great dissatisfaction, but is not necessarily a cause for divorce. Usually the husband marries another girl, while the first wife retains her position as head-wife. With regard to frigidity my informant said [833] that sometimes "a married woman does not want her husband to do those things which husbands like to do, or she may want him very seldom." The husband is so angry that he may go away hunting for a long time. The husband may tell some old people, who talk to the girl. If his wife is a good cook, the husband may keep her and secure another girl as a second wife. Sometimes the husband ties the hands of the girl if she resists him. If a wife is returned to her parents on the grounds of her frigidity her husband does not receive compensatory payment, but he hopes that another man will take the girl and pay him for her.

842 Sterility of the male is sometimes suspected, in which case the husband tries another girl, possibly with his wife's consent. The wife may be allowed to have relations with another man in the hope of producing children. The evidence shows that there is definite experiment to test barrenness of the woman and sterility of the male.

In case of impotence (not sterility of the male sperm) the wife leaves her husband. In event of barrenness the woman visits a medicine-man, who gives her a charm consisting of two cowrie shells on a strip of leather which she wears round her neck; a potion also will be given her. If the barren condition is due to malevolence of spirits, the face of the woman is painted with streaks of red and white. Such a woman is said to gain *ocitumba*. *Tumba* means "a swell," "a rise."

586 [837] A woman may divorce her husband if he does not treat her well. If he beats her or refuses to give her cloth and palm oil, she will leave him; but she will not leave him if he is merely unfaithful. If a woman is unhappy with her husband, she will tell her people about the trouble. Her father and mother may say, "Go and try again."

After a year the woman may still be unhappy, in which case she goes to her parents. The husband visits his wife's parents to ask why she has left him. The parents give reasons and offer to return the token he presented for the girl. The return of the husband's tokens is usually long delayed because the parents of the girl are

3: Hambly E-5 (1929-1930) 1934 FP13 Mbundu FP13

hoping that another man will ask for their daughter; this new suitor will have to make payment to the deserted husband. The chief of the village is not consulted unless the return of the husband's presents is long delayed or is in some way unsatisfactory. A woman who claims even remote relationship with the royal family is treated well, because her husband is afraid of the influence which may be used against him. A woman who returns to her parents takes with her the articles she contributed to the home; these are pottery, corn baskets, a wooden pounder, and wooden spoons. If a wife returns to her parents without telling her husband that she intends going, he will beat her if he finds her packing up her utensils.

The procedure of divorce contains a very human element. When a man has fully decided that he would like to divorce his wife, he will first of all inform his parents of his intention. The parents may advise their son to try the girl for a longer time.

On the contrary, the parents of the man may be mischief-makers. Sometimes the parents will say to the husband, "Do you know that your wife is doing these things? It is better you should send her away." If the man is fond of his wife, he will take her to another place where his parents cannot watch her. When a woman divorces her husband to marry another man, she takes to her new home all children under three years of age. Older children go to the home of her parents.

The chief of the village has to witness the final ceremony of divorcing a woman; but the husband and wife, also the wife's father, are the principal people concerned in the divorce ceremony. The husband receives from his wife's father a roll of tobacco and a pig, then he places leaves and palm oil on the back of his wife. He slaps her back saying, "It is finished," after which the woman goes to her father or to another man.

When a woman takes the initiative and has declared her intention of divorcing her husband, she returns to her parents as described; but the divorce cannot be completed until the husband has been persuaded to perform this ceremony of slapping her back and making a ceremonial renunciation in public.

PREGNANCY AND CHILDBIRTH

When a woman finds that she is pregnant, she makes and drinks an infusion prepared from bark fiber. This is to insure the removal of all stringy matter at delivery. Formerly a husband was not

6:Edwards E-5 (1955-1956)1962
FP13 Mbundu FP13

Marriages may also be ended by the wife leaving her husband. This may be the consequence of quarrels; however at times a woman may just run off without any apparent reason. Her husband may go to her kin and bring her back or may just get married again—such an episode may occur after many years of a marriage which has previously appeared happy. People who have been married previously can be married again according to the pattern described previously. Middle-aged and elderly people would leave out the festivities and would just have the meal together, or simply count themselves as married by the payment of the bridewealth.

There does exist a formal ceremony of divorce in which maize flour is smeared on the upper part of the face by the husband, and this will take place in the presence of representatives of the wife's kin. A man will do this when his wife has shown herself disrespectful to him or has quarrelled with his kin or her co-wife. As the Ovimbundu regard marriage as being for the procreation of children, a barren wife should be, they say, sent away but often in practice this is not done, if the wife is otherwise satisfactory.

Legally, the Portuguese administration recognizes both the customary marriage and the Catholic marriage ceremony. The Catholic missions report to the post people who, having been married in church, then make customary marriages, and these may be subjected to such sanctions as being sent to contract labour. The Protestant church marriages are not apparently legally recognized but they are subject to the authority of the Protestant church courts which grant divorces on certain grounds. The *chefe de posto* on his annual visit to take the check on the census may get angry with polygynists, but in fact no very effective administrative action exists with regard to indigenous marriage.

The motives given for polygynous marriage are the desire to have many children and (in the case of a chief) the need to have cooks to provide hospitality for guests. Large-scale polygyny is thought to be rather funny; I was told, as something amusing, that the former chief Mbati had 17 wives. Kafelo, the former chief of Gumba, had 6 wives, the highest number of continuing polygynous marriages I found. In Epalanga out of